

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY A. DODGE, CHARLES A FROLIK, TERRY D. LINDSTROM,
CHARLES W. LUGAR, III and GILBERT S. STATEN

Appeal No. 1997-3042
Application 08/405,555¹

ORDER REMANDING TO EXAMINER

An Information Disclosure Statement was filed March 15, 1995 (Paper No. 1 1/2). It is not apparent from the record that the examiner considered the statement submitted nor notified applicant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Information Disclosure Statement and for such further action as may be appropriate.

¹ Application for patent filed March 15, 1995. According to the appellants, the application is a division of Application 08/246,655, filed May 20, 1994.

Appeal No. 1997-3042
Application 08/405,555

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: _____
Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

DMS:caw

Appeal No. 1997-3042
Application 08/405,555

Eli Lilly & Company
Patent Division JJS
Lilly Corporate Center
Indianapolis, IN 46285